



09/1722

**CONTINUED PROSECUTION APPLICATION (CPA)
REQUEST TRANSMITTAL**

Submit an original, and a duplicate for fee processing
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

☐ DUPLICATE

Address to:

Assistant Commissioner for Patents
Box CPA
Washington, DC 20231

Attorney Docket No. 0163-0707-2X

First Inventor KENJI MIWA

Group Art Unit 1722

Examiner LIN, K.

13/10
KJP
6/25/01

This is a request for a ☒ continuation or ☐ divisional application under 37 CFR 1.53(d)
(continued prosecution application (CPA)) of prior application number 09/158,099
filed on September 22, 1998 entitled METHOD OF REFINEMENT OF MICROSTRUCTURE OF METALLIC MATERIALS

1. ☒ Enter the unentered amendment previously filed APRIL 19, 2001 under 37 CFR 1.116 in the prior nonprovisional application.
2. ☒ A courtesy copy of the amendment filed on April 19, 2001 is enclosed.
3. ☐ This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4)
 - a. ☐ DELETE the following inventor(s) named in the prior nonprovisional application:
 - b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. Information Disclosure Statement (IDS) is enclosed:
 - a. ☐ PTO-1449
 - b. ☐ Copies of IDS Citations

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TC 1700

CLAIMS	NUMBER FILED		NUMBER EXTRA	RATE	CALCULATIONS
TOTAL	4	MINUS 20	0	x \$18 =	\$0.00
INDEPENDENT	1	MINUS 3	0	x \$80 =	\$0.00
		<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS		+ \$270 =	\$0.00
				BASIC FEE	\$710.00
				TOTAL OF ABOVE CALCULATIONS	\$710.00
		<input type="checkbox"/> Reduction by 50% for filing by Small Entity			\$0.00
				TOTAL	\$710.00

6. Small Entity Status:

- ☐ Applicant claims small entity status. See 37 CFR 1.27.
7. ☒ The Commissioner is hereby authorized to charge fees under 37 CFR 1.16 and 1.17 for the papers being filed herewith and for which no check is enclosed, or credit any overpayment to Deposit Account No. 15-0030.
- ☒ If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 CFR 1.136 for the necessary extension of time in the parent case. Any fees required for such an extension of time may be charged to Deposit Account No. 15-0030.
8. ☒ A check in the amount of **\$1,490.00** is enclosed.
9. ☒ Other: Petition for Extension of Time (2nd & 3rd months)

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Gregory J. Maier
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02 FC:117

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0163-0707-2A

COURTESY
COPY

**RESPONSE UNDER 37 C.F.R. §1.116 -
EXPEDITED PROCEDURE EXAMINING GROUP 1722**

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
Kenji MIWA et al : GROUP: 1722
SERIAL NO: 09/158,099 :
FILED: September 22, 1998 : EXAMINER: LIN, K.
FOR: METHOD OF REFINEMENT OF :
MICROSTRUCTURE OF...

AMENDMENT UNDER 37 C.F.R. §1.116

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

Responsive to the Official Action mailed December 19, 2000, please amend the
above-identified patent application, as follows:

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IN THE SPECIFICATION

Please amend the specification, as follows:

Page 11, line 11, delete the heading "Brief Description of the Drawings" in its
entirety.

IN THE CLAIMS

Please cancel Claims 11-14, without prejudice or disclaimer.

Please add new Claims 15-18, corresponding to subject matter from Claims 11-14, as
follows:

15. (New) A method for refining a microstructure of a metallic material, comprising: